



SENT VIA CM/ECF

May 15, 2024

The Honorable Christian F. Hummel  
United States Magistrate Judge  
James T. Foley U.S. Courthouse  
445 Broadway  
Albany, New York 12207

**Sarhadi v. Geever, et al., Civil Action No. 24-cv-00031 (BKS/CFH)**

Dear Judge Hummel:

McAllister Olivarius represents the Plaintiff, Kristina Sarhadi, in the above referenced matter. Plaintiff submits this motion for extension of time to file her opposition to the motion to dismiss of Defendant Hardwork Distribution, Inc. ("Hardwork") to June 20, 2024 pursuant to Fed. R. Civ. P. 6(b).

On March 5, 2024, the Court granted Plaintiff's motion for extension of time to amend her complaint. (ECF No. 23). In its March 5, 2024 Order, the Court ordered the followed briefing schedule: Hardwork was to file its motion to dismiss or response to Plaintiff's amended complaint by April 20, 2024; Plaintiff was to file her opposition to any motion to dismiss by May 20, 2024; and Hardwork was to file its reply by June 3, 2024. (*Id.*). On April 22, 2024, two days after its court-ordered deadline, Hardwork filed its motion to dismiss Plaintiff's first amended complaint. (ECF No. 28).

On May 13, 2024, Plaintiff, through counsel, reached out to Hardwork's counsel advising that Plaintiff intended to seek leave to file a second amended complaint to address the issues identified in Hardwork's motion to dismiss. Plaintiff requested that Hardwork consent to her amendment. That same day, Hardwork, through counsel, inquired about the Plaintiff's proposed amendments, presumably in order to determine whether it would consent to same. On May 14, 2024, Plaintiff explained to Hardwork the basis for her proposed amendment. On May 15, 2024, Plaintiff tried to contact Hardwork's counsel twice by telephone to no avail. To date, Hardwork has not advised whether it consents to Plaintiff's request for leave to file a second amended complaint.

In an abundance of caution, Plaintiff seeks an extension of time to respond to Hardwork's motion to dismiss. Plaintiff seeks an extension of time because (1) Plaintiff's forthcoming motion for leave

---

641 LEXINGTON AVENUE | 13<sup>TH</sup> FLOOR | NEW YORK, NY 10022 | USA | +1 (212) 433-3456 | MCOLAW.COM

THE PEARCE BUILDING | WEST STREET | MAIDENHEAD | SL6 1RL | ENGLAND | +44 (0)20 3048 5959 | DX 641 | MAIDENHEAD

Partners: **Dr Ann Olivarius** (Solicitor of England & Wales and Ireland; U.S. attorney licensed in MN, NH, VA, DC, ID & NY)  
**Dr JFO McAllister** (Registered Foreign Lawyer and U.S. attorney licensed in NY & CT)

to amend could resolve Hardwork's motion; and (2) the departure of one of Plaintiff's lawyers from McAllister Olivarius.

Plaintiff's timely motion for extension of time is made in good faith and not for an improper purpose or to unduly delay the litigation of these proceedings. Plaintiff has not previously sought the relief requested in the instant motion.

Plaintiff respectfully requests that the Court grant her motion for extension of time to file her opposition to Hardwork's motion to dismiss, extend Plaintiff's time to respond to June 20, 2024, and for any other relief this Honorable Court deems just and proper.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Dr. McAllister", is positioned above the typed name.

Dr. John McAllister  
*Counsel for Plaintiff*

cc: Counsel of Record [Via CM/ECF]